



Mod:mlt 10/29/98 5508-51049

#3

COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my
name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled SWITCHING DEVICE WITH MULTISTAGE QUEUING SCHEME, the specification of which

- ☐ is attached hereto.
- ☒ was filed on October 5, 1998 as Application No. 09/166,343.
- ☐ was described and claimed in PCT International Application No. _____, filed on _____, and as amended under PCT Article 19 on _____ (if applicable).
- ☐ and was amended on _____ (if applicable).
- ☐ with amendments through _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56. If this is a continuation-in-part application filed under the conditions specified in 35 U.S.C. § 120 which discloses and claims subject matter in addition to that disclosed in the prior copending application, I further acknowledge the duty to disclose material information as defined in 37 CFR § 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT International application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT International application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) on which priority is claimed:

Prior Foreign Application(s)

Priority
Claimed

_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/> <input type="checkbox"/> Yes No
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I hereby claim the benefit under Title 35, United States Code, 119(e) of any United States provisional application(s) listed below:

_____ (Application No.)	_____ (Filing Date)
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I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or § 365(c) of any PCT International application(s) designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner

provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT International filing date of this application:

(Application No.)	(Filing Date)	(Status: patented, pending, abandoned)

The undersigned hereby authorizes the U.S. attorney or agent named herein to accept and follow instructions from _____ as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney or agent and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorney or agent named herein will be so notified by the undersigned.

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application, to file a corresponding international application, and to transact all business in the Patent and Trademark Office connected therewith:

Name	Reg. No.	Name	Reg. No.
Kenneth S. Klarquist	16,445	Stacey C. Slater	36,011
James Campbell	19,978	Garth A. Winn	33,220
James S. Leigh	20,434	Stephen A. Wight	37,759
Arthur L. Whinston	19,155	Joel R. Meyer	37,677
David P. Petersen	28,106	Joseph T. Jakubek	34,190
Richard J. Polley	28,107	Robert F. Scotti	39,830
Ramon A. Klitzke II	30,188	Gregory V. Bean	36,448
William Y. Conwell	31,943	Lisa M. Caldwell	P41,653
Mark L. Becker	31,325	David J. Earp	41,401
William D. Noonan	30,878	Michael D. Jones	P41,879
John D. Vandenberg	31,312	Steven D. Yates	P42,242
John W. Stuart	24,540		
Donald L. Stephens Jr.	34,022		

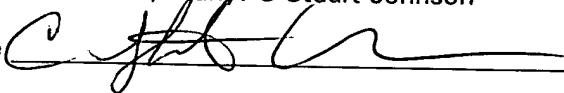
Address all telephone calls to Mark L. Becker at telephone number (503) 226-7391.
Address all correspondence to:

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Portland, OR 97204-2988

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of third joint inventor, if any: C Stuart Johnson

Inventor's signature



11/16/98
Date

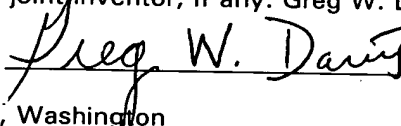
Residence: Liberty Lake, Washington

Citizenship: USA

Post Office address: 23815 E. Sinto, Liberty Lake, WA 99019

Full name of second joint inventor, if any: Greg W. Davis

Inventor's signature



11/16/98
Date


Residence: Spokane, Washington

Citizenship: USA

Post Office address: 3815 S. Union, Spokane, WA 99206

Full name of third joint inventor, if any: Timothy S. Michels

Inventor's signature



11/16/98
Date

Residence: Spokane, Washington

Citizenship: USA

Post Office address: 11621 E. 47th, Spokane, WA 99206

Applicants: C Stuart Johnson, Greg W. Davis and Timothy S. Michels

Serial No.: 09/166,343 Filed: October 5, 1998

For: SWITCHING DEVICE WITH MULTISTAGE QUEUING SCHEME

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) and 1.27(c)) -- SMALL BUSINESS CONCERN**

I hereby declare that I am

☐ the owner of the small business concern identified below:

☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN Packet Engines Incorporated

ADDRESS OF CONCERN PO Box 14497, Spokane, Washington 99214-0497

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled: SWITCHING DEVICE WITH MULTISTAGE QUEUING SCHEME

by inventor(s): C Stuart Johnson, Greg W. Davis and Timothy S. Michels
described in ☐ the application filed herewith.

☒ application serial no. 09/166,343, filed October 5, 1998.

☐ patent no. _____, issued _____.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME _____

ADDRESS _____

☐ INDIVIDUAL

☐ SMALL BUSINESS CONCERN

☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Peter Price

TITLE OF PERSON OTHER THAN OWNER Vice-President, Finance

ADDRESS OF PERSON SIGNING PO Box 14497, Spokane, WA 99214-0497

SIGNATURE _____

DATE 11/16/98